

## REMARKS

In the Office Action, claims 1-23 and 25-32 are pending.

Claims 1-23 and 25-32 stand rejected under 35 USC §103(a) as being allegedly unpatentable over *Ahmavaara* et al. (2005/0272465) in view of *Melpignano* (2005/0176473).

### Changes in the Claims:

In this response, claims 1, 8, 9, 16, 17, 22, 23, 27, 31 and 32 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. The amendments are supported by the specification as originally filed, for example, at paragraphs [0015-0016]. No new matter has been added. Claims 7, 15 and 21 have been cancelled. Thus, claims 1-6, 8-14, 16-20, 22-23, and 25-32 remain pending.

### Rejection under 35 USC §103(a) – claims 1-23 and 25-32

Claims 1-23 and 25-32 stand rejected under 35 USC §103(a) as being allegedly unpatentable over *Ahmavaara* et al. (2005/0272465) in view of *Melpignano* (2005/0176473). This rejection is respectfully traversed. Applicant does not admit that *Ahmavaara* or *Melpignano* are prior art and reserves the right to challenge the references at a later date.

Under MPEP §706.02(j), in order to establish a *prima facie* case of obviousness required for a §103 rejection, three basic criteria must be met: (1) there must be some suggestion or motivation either in the references or knowledge generally available to modify the reference or combine reference teachings (MPEP §2143.01), (2) a reasonable expectation of success (MPEP §2143.02), and (3) the prior art must teach or suggest all the claim limitations (MPEP §2143.03). See *In re Royka*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974).

*Ahmavaara* describes a method for providing access from a WLAN network to a GPRS service. “A terminal device or UE 10 which is subscribed to a GPRS service and wishes to get access to the service, first transfers a service selection information indicating at least one APN parameter and an optional username and password via the WLAN 30 to an authentication server 50 of the GPRS network 70 by using an

authentication signaling, e.g. an authorization request message (1<sup>st</sup> step).” *Ahmavaara*, paragraph [0025].

*Melpignano* describes a mobile device that can connect to the internet using WPAN, WLAN, GPRS or 3G.

Applicant respectfully submits that the proposed combination of *Ahmavaara* and *Melpignano* does not teach or suggest all of the claim limitations in claims 1-6, 8-14, 16-20, 22-23, and 25-32. In particular, neither *Ahmavaara* nor *Melpignano* teaches or suggests using credential information stored in a subscriber identity module (SIM) associated with a General Packet Radio Service (GPRS) adapter to authenticate access to a GPRS network, and a new wireless local area network (WLAN), as substantially recited in independent claims 1, 9, 17, 27, 31 and 32. In *Ahmavaara*, in case a GSM SIM card is used within the UE10, the credential information in the SIM is sent to Authentication Server 50 to authenticate access to the GPRS network 70. See *Ahmavaara* paragraphs [0027-0029]. However, *Ahmavaara* does not teach or suggest using the credential information in the same SIM to authenticate access to WLAN. Therefore, *Ahmavaara* does not teach or suggest all elements of the above claims.

Further, applicant respectfully submits that *Ahmavaara* does not teach or suggest authenticating access to the WLAN using extensible authentication protocol for subscriber identity module (EAP-SIM). According to *Ahmavaara* paragraph [0024], its WLAN user is authenticated to access a WLAN network by an EAP authentication. And *Ahmavaara* only discloses using the EAP-SIM authentication signaling between the UE10 and the authentication server 50 of the GRPS network 70. See *Ahmavaara* paragraph [0030]. Therefore, *Ahmavaara* does not teach or disclose using EAP-SIM to authenticate access to a new WLAN, as recited in independent claims 1, 9, 17, 27, 31 and 32.

Since *Melpignano* is silent as to using credential information in the SIM to authenticate access to WLAN, or to EAP-SIM authentication of the WLAN, applicant respectfully submits that at least for the above reasons, the proposed combination of *Ahmavaara* and *Melpignano* does not teach or suggest all of the claim limitations in claims 1-6, 8-14, 16-20, 22-23, and 25-32.

Applicant therefore submits that the rejection based the *Ahmavaara* and *Melpignano* references be withdrawn. Thus, Applicant submits that claims 1-6, 8-14, 16-20, 22-23, and 25-32 recite novel subject matter which distinguishes over any possible combination of *Ahmavaara* and *Melpignano*.

### **Conclusion**

For all of the above reasons, applicants submit that the amended claims are now in proper form, and that the amended claims all define patentable subject matter over the prior art. Therefore, Applicants submit that this application is now in condition for allowance.

### **Request for allowance**

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

### **Invitation for a Telephone Interview**

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

### **Extension of Time**

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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